

Message Text

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22S

ORIGIN ARA-10

INFO OCT-01 ISO-00 SS-15 PM-04 DHA-02 H-02 L-03 INR-07

NSC-05 DODE-00 CIAE-00 /049 R

DRAFTED BY ARA/CEN/N:GAGOWEN:RP

APPROVED BY ARA:HWSHLAUDEMAN

ARA/CEN:MWEISSMAN (DRAFT)

D/HA:RPALMER (DRAFT)

PM/SAS:RSLOTT (DRAFT)

ACDA:LWATSON (DRAFT)

DOD/OASD/ISA:TAUSTIN (INFO)

----- 108816

R 122307Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY MANAGUA

C O N F I D E N T I A L STATE 201114

E.O. 11652: GDS

TAGS: MASS, PFOR, SHUM, NU

SUBJECT: FMS TRANSACTIONS WITH GON: M-16'S AND M-60'S

REFS: (A) MANAGUA 3718; (B) STATE 189779, (C) MANAGUA 3490

1. DEPARTMENT FULLY APPRECIATES REACTION TO BE EXPECTED FROM GON REGARDING DEFERRAL SUBJECT FMS TRANSACTIONS. HOWEVER, PRESENT CIRCUMSTANCES DO NOT LEND THEMSELVES TO DETERMINATION OF ANY EXPECTED APPROVAL DATE, AS REQUESTED IN REFTTEL A. DEPARTMENT CONSIDERS IT ADVISABLE TO DELAY FINAL ACTION ON SALE OF M-16'S AND M-60 MACHINE GUNS PENDING FURTHER DEVELOPMENTS IN ONGOING CONGRESSIONAL SCRUTINY OF HUMAN RIGHTS SITUATION IN NICARAGUA AND OUR BILATERAL AID PROGRAMS THERE, OF WHICH MILITARY ASSISTANCE MAY PROVE MAJOR TARGET. DEFERRAL RELATED TO OUR OWN EFFORTS TO CLARIFY ACTUAL EXTENT OF HUMAN RIGHTS PROBLEM ALLUDED TO BY CAPUCHIN MISSIONARIES AND OTHER SOURCES.

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2. EMBASSY WILL RECALL THAT CONG. DONALD FRASER (D.-MINN.), CHAIRMAN OF INTERNATIONAL ORGANIZATIONS SUBCOMMITTEE OF HIRC, INDICATED DURING JUNE SESSION THAT FURTHER HEARINGS ON NICARAGUAN CASE SEEMED CALLED FOR. NO DATE YET HAS BEEN SET FOR SUCH HEARINGS. HOWEVER, WE EXPECT THAT CRITICAL ATTENTION WILL REMAIN FOCUSED ON THE NICARAGUAN SITUATION AND ALSO THAT THAT PRESSURE TO LIMIT OR TERMINATE USG

ASSISTANCE TO GON WILL CONTINUE TO BUILD. THIS JUDGMENT BASED PRINCIPALLY ON GON'S EVIDENT CONTINUING INABILITY TO PRODUCE SATISFACTORY REPLY TO CHARGES OF SERIOUS NATIONAL GUARD ABUSES IN SIUNA AREA OF ZELAYA, RAISED FIRST BY LOCAL BISHOPS IN MAY AND MORE RECENTLY BY U.S. CAPUCHINS. PERSISTENCE OF THESE CHARGES AND NATURE OF SOURCES FOR THESE REPORTS LEND STRENGTH TO CRITICISM OF GON'S HUMAN RIGHTS RECORD. THEY ALSO LEND ADDITIONAL IMPORTANCE TO QUESTION OF FOLLOW-UP TO EMBASSY'S RECENT DEMARCHE TO SOMOZA ON HUMAN RIGHTS (REFTEL C).

3. IN DISCUSSING FMS DELAY WITH GON, EMBASSY SHOULD TAKE OPPORTUNITY TO REITERATE OUR VIEW THAT CONGRESSIONAL AND PUBLIC CRITICISM OF NICARAGUAN HUMAN RIGHTS SITUATION IS SERIOUS AND PERSISTENT, AND ENJOYS SOME INCREASE IN CREDIBILITY. IN THIS CONTEXT, ARMS SALES HAVE BECOME EXCEPTIONALLY SENSITIVE SUBJECT. CONG. KOCH (D.-N.Y.) CHARACTERIZED PORTION OF PROJECTED SMALL ARMS TRANSFERS TO GON AS "MASSIVE", AND WOULD LIKELY TAKE EVEN STRONGER EXCEPTION TO IDEA OF SUPPLYING 10,000 M-16'S. APPROVAL OF THESE FMS TRANSACTIONS AT THIS TIME, WITHOUT SOME MOVEMENT TOWARD SATISFACTORY RESPONSE TO HUMAN RIGHTS CHARGES RAISED BY THE CHURCH IN NICARAGUA, WOULD SERIOUSLY PREJUDICE OUR EFFORTS TO RETAIN MUTUALLY BENEFICIAL BI-LATERAL RELATIONSHIPS WITH GON. MOST LIKELY CONGRESSIONAL RESPONSE WOULD CLOSE OUT MOST OPTIONS PRESENTLY AVAILABLE TO US IN DEALING WITH HUMAN RIGHTS ISSUE IN NICARAGUA. IN THIS SENSE, DEPARTMENT IS MOTIVATED BY DESIRE TO AVOID COURSE OF ACTION WHICH WOULD PROVE DAMAGING TO GON'S OWN INTERESTS. AGAIN, THIS DECISION TO DEFER SHOULD NOT BE INTERPRETED BY GON AS MOVE TO VETO THESE PARTICULAR SALES OR TO TERMINATE OUR TRADITIONAL SECURITY ASSISTANCE
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RELATIONSHIP. RATHER, IT SHOULD BE CLEARLY PRESENTED AS A PRUDENT STEP UNDERTAKEN TO AVOID EXACERBATING AT THIS SENSITIVE MOMENT A SERIOUS CHALLENGE TO THE CONTINUATION OF OUR ACCUSTOMED BILATERAL RELATIONS. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SMALL ARMS, POLICIES, ARMS EXPORT LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 12 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cahillha
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE201114
Document Source: CORE
Document Unique ID: 00
Drafter: GAGOWEN:RP
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760311-1149
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760858/aaaabyxp.tel
Line Count: 111
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 MANAGUA 3718, 76 STATE 189779, 76 MANAGUA 3490
Review Action: RELEASED, APPROVED
Review Authority: cahillha
Review Comment: n/a
Review Content Flags:
Review Date: 21 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 JUL 2004 by izenbei0>; APPROVED <29 OCT 2004 by cahillha>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FMS TRANSACTIONS WITH GON: M-16'S AND M-60'S
TAGS: MASS, PFOR, SHUM, NU, US
To: MANAGUA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006